



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
ONE CONGRESS STREET, SUITE 1100  
BOSTON, MA 02114-2023

GE-Housatonic  
2.6  
242312



January 24, 2006

SDMS DocID

242312

Mr. Andrew Silfer  
Corporate Environmental Programs  
General Electric Company  
159 Plastics Avenue  
Pittsfield, MA 01201

Via Electronic and U.S. Mail

Re: Conditional Approval of General Electric's *Removal Design/Removal Action Work Plan for the Phase 4 Floodplain Properties*, GE- Pittsfield/Housatonic River Site, Pittsfield, Massachusetts.

Dear Mr. Silfer:

This letter provides the Environmental Protection Agency's (EPA) conditional approval of the above-referenced *Removal Design/Removal Action Work Plan for the Phase 4 Floodplain Properties*, dated August 2005 (Work Plan). The Work Plan is subject to the terms and conditions specified in the Consent Decree (CD) that was entered in U.S. District Court on October 27, 2000.

Pursuant to Paragraph 73 of the CD, EPA, after consultation with the Massachusetts Department of Environmental Protection (MDEP), approves the Work Plan subject to the following conditions.

1. Based on constructability and other factors, GE shall consider expanding the excavation limits shown on Technical Drawing 7 of the Work Plan to a 2-foot depth in the vicinity of boring locations RB021921 and RB021882, and to a 3-foot depth in the vicinity of boring locations BW-0017 and RB021922.
2. GE shall extend the excavation limits shown on Technical Drawing 9 of the Work Plan to include all soil within the top foot of the footprint of the natural pool located on Parcel I6-1-106.
3. The location of soil sample number RA89EE000 shown on Figure 1-5 does not agree with EPA's plot of the data. GE shall review the location of this soil sampling location and revise the excavation limits as shown on Technical Drawing 9, if necessary.

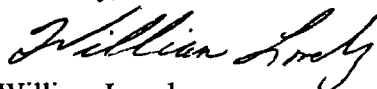
4. GE shall revise the truck traffic routes shown on Figure 9-1 based on recent modifications to the operating procedures for the On-Plant Consolidation Areas (OPCAs).
5. GE shall revise Section 7.6 (Applicable or Relevant and Appropriate Requirements) to include citations to the federal Executive Order for Wetlands Protection and the federal Clean Water Act, Section 404 Requirements. See the Statement of Work, Technical Attachment B, Table 3, Page 5. In addition, EPA and the State have identified the occurrence of a Commonwealth of Massachusetts Species of Special Concern, the wood turtle, in the area of the Phase 4 Floodplain Properties. Accordingly, GE shall revise Section 7.6 to include a citation to the Massachusetts Endangered Species Act and Regulations, even though they are not listed as an ARAR under the tables in Technical Attachment B to the Statement of Work for Removal Actions Outside the River. In addition, the "Associated Project Components" box for each wetland and endangered species ARAR shall be modified to include a bullet describing removal of vegetation in the course of any aspect of the work and not just soil removal.
6. GE shall include detailed requirements in the Supplemental Information Package regarding mitigative measures to address all impacted resources (i.e., wetlands, the pool located on Parcel I6-1-106, and any species of concern). Such specifications shall include, but not be limited to, site preparation (including measures to inventory and mitigate impacts to habitats and species of concern), excavation, resoiling, short-term erosion control, restoration (including wetlands restoration), and Post Removal Site Control. The mitigative measures shall address soil removal areas and any other area affected by site work, such as access roads and staging areas.

GE shall address the conditions described above by providing an Addendum to this Work Plan by February 14, 2006. The Addendum shall include a response to each of the conditions described above and deadlines for the selection of a remediation contractor and for submitting the Supplemental Information Package.

If there is any conflict between the Performance Standards as described in the Work Plan and as set forth in the Consent Decree and/or Statement of Work for Removal Actions Outside the River (Appendix E to the Consent Decree), the Consent Decree and Statement of Work shall control. EPA reserves its right to perform additional sampling and/or require additional sampling or Response Actions, if necessary, to meet the requirements of the Consent Decree.

If you have any questions, please contact me at (617) 918-1240.

Sincerely,



William Lovely  
GE Facility Project Manager

cc.

Dean Tagliaferro, EPA  
John Kilborn, EPA  
Rose Howell, EPA  
Holly Inglis, EPA  
Sue Steenstrup, MDEP  
Anna Symington, MDEP  
Robert Bell, MDEP  
Thomas Angus, MDEP  
Nancy E. Harper, MA AG  
K.C. Mitkevicius, USACE  
Mayor James Ruberto, City of Pittsfield

Caleb Mitchell, Conservation Commission  
Rod McLaren, GE  
Mike Carroll, GE  
Richard Gates, GE  
James Nuss, BBL  
James Bieke, Goodwin Procter LLP  
Linda Palmieri, Weston Solutions  
Dale Young, MA EOE  
Affected Property Owners  
Public Information Repositories